

the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).

ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

## II. What Action is the Agency Taking?

EPA is printing a summary of a pesticide petition received under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, proposing the establishment or amendment of regulations in 40 CFR part 180 for residues of pesticide chemicals in or on various food commodities. EPA has determined that this pesticide petition contains data or information regarding the elements set forth in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the pesticide petition. Additional data may be needed before EPA rules on this pesticide petition.

Pursuant to 40 CFR 180.7(f), a summary of the petition included in this notice, prepared by the petitioner along with a description of the analytical method available for the detection and measurement of the pesticide chemical residues is available on EPA's Electronic Docket at <http://www.regulations.gov>. To locate this information on the home page of EPA's Electronic Docket, select "Quick Search" and type the OPP docket ID number. Once the search has located the docket, clicking on the "Docket ID" will bring up a list of all documents in the docket for the pesticide including the petition summary.

## New Tolerance

*PP 6E7086.* Interregional Research Project #4 (IR-4), Rutgers, The State University of New Jersey, 500 College Road East, Suite 201 W, Princeton, NJ 08540, proposes to establish a tolerance for residues of the insecticide methoxyfenozide per se; benzoic acid, 3-methoxy-2-methyl-, 2-(3,5-dimethylbenzoyl)-2-(1,1-dimethylethyl) hydrazide in or on food commodities vegetable, tuberous and corm, except potato, subgroup 1D at 0.02 parts per million (ppm); bushberries subgroup 13B at 3.0 ppm; junberry at 3.0 ppm; lingonberry at 3.0 ppm, salal at 3.0 ppm; Aronia berry at 3.0 ppm; blueberry, lowbush at 3.0 ppm; Buffalo currant at 3.0 ppm; Chilean guava at 3.0 ppm; European barberry at 3.0 ppm; highbush cranberry at 3.0 ppm; honeysuckle at 3.0 ppm; jostaberry at 3.0 ppm; Native currant at 3.0 ppm; Sea buckthorn at 3.0 ppm; bean, dry, seed at 0.15 ppm; grass, forage, fodder and hay, group 17, forage at 18.0 ppm; grass, forage, fodder and hay, group 17, hay at 30.0 ppm; peanut at 0.02 ppm; peanut, hay at 60 ppm; peanut, oil at 0.09 ppm. High production liquid chromatography using ultraviolet detection (HPLC/UV) is used to measure and evaluate the chemical residue(s).

## List of Subjects

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: October 13, 2006.

**Lois Rossi,**

*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. E6-17567 Filed 10-19-06; 8:45 am]

**BILLING CODE 6560-50-S**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2005-0026; FRL-8232-9]

## Final Section 106 Tribal Grant Guidance

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This document provides notice of the final *Guidance on Awards of Grants to Indian Tribes under Section 106 of the Clean Water Act: For Fiscal Year 2007 and Future Years*. This Guidance provides the Environmental Protection Agency and Tribes with a consistent framework of procedures and guidelines for awarding and administering grants to federally recognized Tribes under the authority of Section 106 of the Clean Water Act. Specifically, this Guidance will assist Tribal water quality program managers, staff, and other Tribal environmental decision-makers in designing and implementing an effective and successful water quality program utilizing Section 106 funds. The Section 106 Tribal Guidance focuses on Tribal water quality programs at all levels of sophistication and development. For new programs, it explains how to successfully initiate and develop a water quality program. For Tribes with well-established programs, it contains information on expanding a water quality program. To meet the needs of Tribes at all levels of development, this Guidance presents the basic steps a Tribe would take to collect the information it will need to make effective decisions about its program, its goals, and its future direction. This final Guidance will take effect for grants issued by the Environmental Protection Agency's Regional Offices in fiscal year 2007. This action affects all Tribal environmental programs that receive Section 106 Tribal grants.

**DATES:** This final Guidance is effective on October 20, 2006.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA-HQ-OW-2005-0026. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is publicly available only in hard copy. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy at

the Water Docket, EPA/DC, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2426.

**Note:** The EPA Docket Center suffered damage due to flooding during the last week of June 2006. The Docket Center is continuing to operate. However, during the cleanup, there will be temporary changes to Docket Center telephone numbers, addresses, and hours of operation, for people who wish to visit the Public Reading Room to view documents. Consult EPA's **Federal Register** Notice at 71 FR 38147 (July 5, 2006) or the EPA Web site at <http://www.epa.gov/epahome/dockets.htm> for current information on docket status, locations, and telephone numbers.

**FOR FURTHER INFORMATION CONTACT:**

Lena Ferris, Office of Water, Office of Wastewater Management, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., 4201M, Washington, DC 20460; telephone number: (202) 564-8831; fax number: (202) 501-2399; e-mail address: [ferris.lena@epa.gov](mailto:ferris.lena@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*Affected Entities:* Tribes that are eligible to receive grants under Section 106 of the Clean Water Act.

**II. Background**

Over the past 10 years, funding available for Section 106 grants to Indian Tribes has increased from \$3 million to \$25 million per year. This Guidance more clearly defines expectations and requirements for Tribal Section 106 grant recipients and provides a framework for evaluating program results. This document is an effort to provide unified guidance that helps Tribes develop and implement water quality programs and defines what EPA expects from Tribal programs. It provides an overview of all programmatic and technical requirements, discusses common considerations across programs and links to technical resources available to develop Tribal programs. This document outlines new reporting requirements and data management expectations for all Tribal programs receiving Section 106 funds. Data collected as a result of the new reporting requirements will help EPA measure environmental results of the Section 106 Tribal Program and comply with the Government Performance and Results

Act (GPRA) and other Federal mandates. EPA published a Notice of Availability regarding a draft version of this Guidance on April 27, 2006 (71 FR 24852). The Agency provided a sixty-day public comment period, in which more than two-hundred comments were received. These comments encompassed four major areas: (1) Monitoring/data reporting (including STORET-related issues); (2) funding (including EPA's future plans with respect to linking Section 106 funding to the various Tribal program activity levels outlined within the Guidance document); (3) training/technical assistance; and (4) miscellaneous comments (i.e., Guidance implementation issues and aligning the Guidance to the Agency's Strategic Plan). As a result of these comments, various communication efforts were undertaken in order to effectively and efficiently provide resolution. Responding to these comments, EPA made minor changes to the actual Guidance text. The Agency has developed a comprehensive Response to Comments (RTC) document outlining details of submitted comments and their associated responses. This document also provides specific locations of the actual Guidance text that have been modified and outlines the exact modifications that were made. This RTC document and final Guidance can be found at the Environmental Protection Agency's Web site at <http://www.epa.gov/owm/cwfinance/106tgg07.htm>, or by contacting the point of contact listed under the section entitled **FOR FURTHER INFORMATION CONTACT**.

**III. Statutory and Executive Order Reviews**

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and is therefore not subject to OMB review. Because this grant action is not subject to notice and comment requirements under the Administrative Procedures Act or any other statute, it is not subject to the Regulatory Flexibility Act (5 U.S.C. 601 et.) or sections 202 and 205 of the Unfunded Mandates Reform Act of 1999 (UMRA) (Pub. L. 104-4). In addition, this action does not significantly or uniquely affect small governments. Although this action does not generally create new binding legal requirements, where it does, such requirements do not substantially and directly affect Tribes under Executive Order 13175 (63 FR 67249, November 9, 2000). Informal consultation has been conducted with Tribes, and a formal comment period was also provided. This action will not have federalism

implications, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action is not subject to Executive Order 13211, "Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001), because it is not a significant regulatory action under Executive Order 12866. This action does not involve technical standards; thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). The Congressional Review Act, 5 U.S.C. 801 *et seq.*, generally provides that before certain actions may take effect, the agency promulgating the action must submit a report, which includes a copy of the action, to each House of the Congress and to the Comptroller General of the United States. Since this grant action contains legally binding requirements, it is subject to the Congressional Review Act, and EPA will submit this final Guidance in its report to Congress under the Act.

Dated: October 13, 2006.

**Benjamin H. Grumbles,**

*Assistant Administrator, Office of Water.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OPPT-2006-0854; FRL-8097-8]

**Certain New Chemicals; Receipt and Status Information**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** Section 5 of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory) to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSCA, EPA is required to publish a notice of receipt of a premanufacture notice (PMN) or an application for a test marketing exemption (TME), and to publish periodic status reports on the chemicals under review and the receipt of notices of commencement to manufacture those chemicals. This status report, which